

### **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application.

Claim 1 (currently amended) A food package comprising a container, a calcium-containing dietary product within the container, and a description indicating that consuming the calcium-containing dietary product according to a dietary plan produces a health effect attributable to calcium selected from the group consisting of one or more of increasing the metabolic consumption of adipose tissue, inducing weight loss, reducing weight gain, increasing fat loss, and/or reducing fat gain, wherein the dietary plan comprises (a) administering to an obese individual one or more servings of the calcium-containing product, wherein the one or more servings comprises an amount of dietary calcium above suboptimal levels and at least about 773 mg per day, and (b) restricting said obese individual to a caloric intake below ad lib in a range of about 200 kcal to about 2500 kcal per day, wherein the individual is a woman and the one or more servings comprises at least about 57 servings of dairy per month.

Claim 2 (previously presented): The package of claim 1, wherein the description is in the form of printed material.

Claim 3 (previously presented): The package of claim 1, wherein the container is packaged and the description is part of the package.

Claim 4 (previously presented): The package of claim 1, wherein the description directly accompanies the product.

Claim 5 (previously presented): The package of claim 1, wherein the description is imprinted on the container.

Claim 6 (previously presented): The package of claim 1, wherein the description indicates the amounts of calcium contained within the product, and recommended levels of calcium intake for regulation of body weight.

Claim 7 (previously presented): The package of claim 1, wherein the described effects further comprise inducing a metabolic change in an individual.

Claim 8 (previously presented): The package of claim 7, wherein the metabolic change comprises decreasing intracellular calcium concentrations ( $[Ca^{2+}]_i$ ), stimulating lipolysis, inhibiting lipogenesis, increasing the expression of white adipose tissue uncoupling protein 2 (UCP2), reducing serum insulin levels, thermogenesis, and/or decreasing the levels of calcitrophic hormones.

Claim 9 (previously presented): The package of claim 1, wherein the described effects comprise reducing or attenuating obesity.

Claim 10 (previously presented): The package of claim 1, wherein the described effects comprise attenuating weight gain and/or adiposity in children.

Claim 11 (previously presented): The package of claim 1, wherein the product comprises a dairy product.

Claim 12 (previously presented): The package of claim 1, wherein the product is selected from the group consisting of milk, yogurt, and cheeses.

Claim 13 (withdrawn): The article of claim 1, wherein the product comprises a non-dairy foodstuff naturally high in calcium.

Claim 14 (previously presented): The package of claim 1, wherein the product comprises a food fortified with calcium.

Claim 15 (previously presented): The package of claim 1, wherein the product is a dietary supplement.

Claim 16 (withdrawn): The article of claim 1, wherein the product is in the form of a liquid.

Claim 17 (withdrawn): The article of manufacture of claim 1, wherein the product is cereal and the printed material is printed on the cereal box.

Claim 18 (withdrawn): The article of manufacture of claim 1, wherein the product is milk and the printed material is printed on the milk container.

Claim 19 (withdrawn): The article of manufacture of claim 1, wherein the product is cheese and the printed material is printed on the cheese package.

Claim 20 (previously presented): The package of claim 1, wherein the product is yogurt and the description is printed on the yogurt container.

Claim 21 (withdrawn): The article of claim 1, wherein the product is food for a pet.

Claim 22 (previously presented): The package of claim 1 wherein the therapeutically effective amount is at least about 1000 mg/day of calcium.

Claim 23 (previously presented): The package of claim 1 wherein the therapeutically effective amount is at least about 1346 mg/day of calcium.

Claim 24 (currently amended): A food package useful in stimulating the metabolic consumption of adipose tissue, comprising

a container,

a dairy product within the container, and

a description indicating that consuming more than suboptimal amounts of dairy products according to a dietary plan produces a benefit attributable to the dairy products selected from the group consisting of increasing the metabolic consumption of adipose tissue, inducing weight loss, reducing weight gain, increasing fat loss, and/or reducing fat gain in the obese individual,

wherein the dietary plan comprises (a) administering to an ~~the~~ obese individual on a daily basis one or more servings of the dairy product in an amount above suboptimal levels sufficient to increase metabolic consumption of adipose tissue, induce weight loss, reduce weight gain, increase fat loss, and/or reduce fat gain in the obese individual, the one or more servings comprising at least about 57 servings per month; and (b) wherein said individual is maintained on a restricted caloric diet below ad lib in the range of about 200 kcal to about 2500 kcal per day,

wherein the individual is a woman and the one or more servings comprises at least about 773 mg of calcium per day.

Claim 25 (previously presented): The package of claim 24 wherein the more than suboptimal amount is at least about 102 portions of dairy per month.

Claim 26 (previously presented): The package of claim 1, further comprising printed materials disclosing the weight loss advantages of high calcium diets.

Claim 27 (previously presented): The package of claim 26, wherein the printed materials are in the form of pamphlets.

Claim 28 (withdrawn): The article of manufacture of claim 26, wherein printed material is embossed or imprinted on the foodstuff and indicates the amounts of calcium contained within the foodstuff, recommended levels of calcium intake necessary for the metabolically assisted loss of adipose tissue, recommended BMI values, or recommended heights and weights for individuals.